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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,424	06/29/2001	Don A. Andrews	010134	8968
23696	7590	03/30/2006		EXAMINER
QUALCOMM, INC 5775 MOREHOUSE DR. SAN DIEGO, CA 92121				LIN, WEN TAI
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/895,424	ANDREWS ET AL.
	Examiner	Art Unit
	Wen-Tai Lin	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 February 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 55-74 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 55-58, 64-68 and 74 is/are rejected.

7) Claim(s) 59-63 and 69-73 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 55-74 are presented for examination. Claims 55-74 are newly added.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.
3. Claims 68-71 are objected to because the term “the network” in claims 68-69 appears to lack antecedent basis.

***Claim Rejections - 35 USC § 102***

4. Claims 55-58, 64-68 and 74 are rejected under 35 U.S.C. 102(e) as being anticipated by Chmaytelli[U.S. PGPub. 20020169977].
5. As to claims 55-56, Chmaytelli teaches the invention as claimed including: a method of configuring an access terminal [e.g., 100, Fig.2] in a network compliant with an IS-856 communication standard [paragraphs 6 and 62], the method comprising:
  6. sending information from an answering protocol process operating [e.g., 110, Fig.2; paragraphs 26-27, wherein the answering protocol process is part of an authentication process]

on the access terminal to a session configuration protocol process [130, Fig.2; paragraphs 32-33; wherein AT (130) is responsible for establishing a network session] operating on the access terminal, the information indicating that the answering protocol process requests a configuration change to change a condition of the access terminal [paragraph 23; i.e., sending out identity of the user is an indication of changing the device configuration ]; and

7. performing the configuration change in response to receiving the information by the session configuration protocol process [e.g., Figs. 4-6; paragraphs 57-59].
8. As to claim 57, Chmaytelli further teaches that the answering protocol process comprises a protocol process responsible for changing a control channel of the access terminal, wherein the answering protocol process sends the information to the session configuration protocol process to trigger a change to the control channel of the access terminal [e.g., paragraph 37; i.e., changing different operating frequency].
9. As to claim 58, Chmaytelli further teaches that performing the configuration change includes sending a configuration request message from the session configuration protocol process operating on the access terminal to a corresponding peer of the session configuration protocol process in the network [e.g., paragraph 32].
10. As to claim 64, Chmaytelli further teaches that the information comprises a configuration request indication from the answering protocol process to the session configuration

protocol process informing the access terminal of an external event triggering a need to reconfigure a session of the access terminal [e.g., paragraph 57].

11. As to claims 65-68 and 74, since the features of these claims can also be found in claims 55-58, 64 and 69, they are rejected for the same reasons set forth in the rejection of claims 55-58, 64 and 69 above.

12. Claims 59-63 and 70-73 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

14. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

**Examiner note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571)273-8300 for official communications; and  
(571)273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

March 27, 2006

*Wen-Tai Lin*  
3/27/06